

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, September 11, 2006 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, John Lebeaux, James McCaffrey, Daniel Morgado, Town Manager and T. Philip Leader, Town Counsel. Mr. Lebeaux called the meeting to order at 7:02pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #0719 in the amount of \$306,423.95, #0719R in the amount of \$1,273.30, and #0722 in the amount of \$576,084.77. Motion made, seconded and unanimously approved.
2. Approve minutes of August 21, 2006 and August 28, 2006. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Lebeaux noted that today is the five year anniversary of the terrorist attacks on America. We should remember the thousands that died that day and their families and all the police, fire and emergency personnel that responded, many of whom also lost their lives. We should also remember our military personnel in harms way protecting us so that we may safely live. They deserve our respect and gratitude. Mr. Lebeaux announced that a vigil is taking place from 8:15pm to 9:00pm this evening at Dean Park remembering 9/11 which was organized by students from the middle schools.
4. Town Manager's Report – Nothing other than what is on the Agenda.

Meetings:

5. 7:05pm – Treasurer Carolyn Marcotte – SELCO Notes. Ms. Marcotte was present and advised the Board that she was before them tonight to ask for their signatures on bond anticipation notes for the Light Dept. authorized by Town Meeting in 2005 for additions for the electrical system. The BAN is good for one year. As there were no questions from the Board, motion was made to approve the sale of a \$1,000,000 4.00 percent Bond Anticipation Note of the Town dated September 15, 2006 and payable September 14, 2007 to Sovereign Securities Corporation, LLC at par and accrued interest plus a premium of \$3,360. Further voted that the consent dated September 6, 2006 to the financial advisor bidding for the note is hereby confirmed. Motion was seconded and unanimously voted. Motion was made, seconded and unanimously vote to authorize the Clerk to sign the certified vote.

Public Hearings:

6. 7:15pm – Mama's Kitchen, 530 Boston Turnpike, Laura Lee Jones, owner, Common Victualler's License. Hours of Operation: Sunday-Saturday 7:00am-7:00pm. Ms. Jones was present along with the former owner of the business, Laurence Ciccolo. Mr. Lebeaux asked if this business is the catering truck operating at Home Depot. Ms. Jones replied that it was and that she planned no changes to the present operation including hours. Mr. Lebeaux advised that all reports from department heads were favorable and opened the hearing to the public. As there was no public comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made, seconded and unanimously voted to approve the application Of Laura Jones d/b/a Mama's Kitchen for a Common Victualler's License. Hours of operation to remain unchanged.
7. 7:30pm - Papa Gino's, Inc. d/b/a Papa Gino's, 20 Boston Turnpike, White City Shopping Center-West, addition of patio seating area to Common Victualler's License. Hours of Operation: Monday-Thursday 10:30am to 10:00pm, Friday-Saturday 10:30am to 11:00pm & Sunday 11:30am to 10:00pm. Carlos Davis was present for Papa Gino's and explained they would like to include a 32 seat patio addition to their current Common Victualler's License. No other changes are planned at this time. Mr. Lebeaux advised that all reports from department heads were favorable and that the ZBA had approved the patio addition. Mr. Lebeaux opened the hearing to the public and as there was no public comment a motion was made, seconded and unanimously voted to close the hearing. Motion was made, seconded and unanimously voted to approve the addition of a 32 seat patio in the Common Victualler's License held by Papa Gino's, 20 Boston Turnpike.

Old Business:

8. Review Motions for Special Town Meeting Warrant. Mr. Morgado reviewed the Special Town Meeting Warrant. He advised that the meeting is set for Tuesday, September 26th at 7:00pm at Oak Middle School. The warrant has been mailed to Town Meeting Members and is available for review on the web site. Article 1 involves property at the intersection of Route 9, Harrington Avenue and Svenson Road as part of the Lakeway Project. This article deals with those transactions. Article 2 involves the rezoning of a parcel of Town owned land from cemetery purposes to municipal purposes to allow for construction of the new fire station. Article 3 will rescind a Town Meeting vote taken in 1995 and redesignate Town owned land formerly used for solid waste disposal from active and passive recreation and open space purposes to municipal purposes. Article 4 involves zoning change of property at corner of Route 9 and Lake Street from MF-1 Garden-Type (multi-family) to Commercial Business. Article 5 relates to the sale of a parcel of land on Boston Turnpike no longer needed for highway purposes. This piece of land is located in front of the parcel land up for rezoning in Article 4. Article 6 deals with changing the date that the Finance Committee furnishes their budget report to the Selectmen. Article 7 involves changing the designation of a parcel of Town owned land from playground purposes to water supply purposes. Article 10 deals with the payment of bills from prior years. Article 11 deals with disability retirement benefits for veterans. Article 12 seeks to rescind bond authorization for North Shore School project. Project came in under budget. Article 13 deals with transfer of Chapter 90 funds to the Highway Dept. Funds need to be spent by June 2007. Articles 8 & 9 deals with funding to the Stabilization Fund and supplemental funding for various departments. Mr. Morgado reviewed his recommendations for supplemental funds for various departments and to the stabilization fund. After a discussion the Board moved to authorize the Manager to present his recommendations to the Finance Committee. Motion was seconded and unanimously voted. The Board will meet prior to the Finance Committee meeting on September 21st to discuss their recommendations.

New Business:

9. St. Mary's Catholic Church, 18 Summer Street, License for Family Festival, Friday, September 22, 2006, 5:00pm-11:00pm, Saturday, September 23, 2006, 8:00am-11:00pm, Sunday, September 24, 2006, 12:00 noon-6:00pm. Motion was made, seconded and unanimously voted to approve the application of St. Mary's Catholic Church to hold a three day Family Festival.
10. St. Mary's Catholic Church, 18 Summer Street, One Day Wine & Malt Beverages License for Family Festival, Friday, September 22, 2006, 5:00pm-11:00pm, Saturday, September 23, 2006, 12:00 noon-11:00pm, Sunday, September 24, 2006, 12:00 noon-6:00pm. Motion was made, seconded and unanimously vote to approve the application of St. Mary's Catholic Church for a Wine & Malt Beverages License for their Family Festival.
11. Spirit of Shrewsbury Fall Festival Committee, Common Victualler's License for Oak Middle School, Saturday, September 23, 2006, 11:00am-4:00pm and Saturday, September 30, 2006, 10:00am-5:00pm and Dean Park, Sunday, October 1, 2006, 10:00am-5:00pm. Maria Smith, president of the Spirit of Shrewsbury Committee, was present and advised the Board of the activities planned for the Fall Festival. Motion was made, seconded and unanimously voted to approve the application for a Common Victualler's License for the Fall Festival. Motion was made, seconded and unanimously voted to waive the license fee.
12. Request from Patrick Collins to run a 5K road in Shrewsbury to benefit Massachusetts Veterans, Inc. on Sunday, November 5, 2006 at 11:00am. Motion was made, seconded and unanimously voted to approve Mr. Collins' request to run a 5K road race.
13. GEMINI Westborough Rotary, One Day Wine & Malt Beverages License for Wine Tasting at Hoagland-Pincus Conference Center, 222 Maple Avenue, Friday, October 20, 2006 from 7:00pm to 10:00pm. Motion was mad, seconded and unanimously voted to approve the application of GEMINI Westborough Rotary for a one day Wine & Malt Beverages License.
14. Worcester Deaf Club and Kathleen Whitney, Sunderland Road - Community House, 10 Hartford Turnpike, One Day Wine & Malt Beverages License for function on October 14, 2006, 1:00pm-11:00pm. Motion was made, seconded and unanimously voted to approve the application as stated.

Executive Session:

15. Collective bargaining, pending litigation and value of real property. Motion was made at 8:28pm, seconded, and unanimously voted to go into executive session to conduct strategy sessions in preparation for negotiations with non-union personnel and not to reconvene into open session. The Board was polled, Mr. Card, yes, Mr. McCaffrey, yes, Mr. Fiore, yes, Mr. DePalo, yes, and Mr. Lebeaux, yes.

Communications:

16. Noted copy mailed: Planning Board Meeting Agenda, 9/1/06.
17. Noted copy mailed: Suburban Coalition FY2007 membership information & invoice. Board does not wish to join.
18. Noted copy mailed: E-mail from Sean Donohoe, 156 Northgate Road, Northborough, re 51 Hartford Turnpike. The Board needs to decide on how to handle.
19. Noted copy mailed: ZBA Hearing Minutes, 7/25/06, Michael & Kerry Manchester, 308 Prospect Street.
20. Noted copy mailed: ZBA Hearing Minutes, 7/25/06, Town of Shrewsbury, 11 Church Road.
21. Noted copy mailed: Notification of vegetation management treatment on right-of-way from National Grid.
22. Noted copy mailed: Memo from Dept. of Housing & Community Development re 2006 Subsidized Housing Inventory Biennial Update.
23. Noted copy mailed: E-mail from Office of Senator John Kerry re speech on September 9, 2006.
24. Noted copy mailed: Letter from Corporate Environmental Advisors re RAO Submittal, 747 Grafton Street.
25. Noted copy mailed: Westborough Treatment Plant Board Meeting Minutes, 7/12/06.
26. Noted copy mailed Planning Board Meeting Minutes, 5/4/06 & 6/12/06.
27. Noted copy mailed: Conservation Commission Meeting Minutes, 2/21/06, 3/21/06, 5/9/06, & 7/18/06.
28. Noted copy mailed: Invitation from Rep. Polito re Groundbreaking, Lake Street Group Homes. Mr. Lebeaux attended this project involves three homes with five residents in each home. It is a joint project of the Dept. of Mental Health and the Shrewsbury Housing Authority.
29. Noted copy mailed: Notice from Dept. of Telecommunications & Energy re Competitive Franchising Rulemaking, CTV 06-1 Reply Comments.
30. Noted copy mailed: Letter from Rep. Polito re Constituent Opinion Survey Results, update on current major issues and other legislative matters.
31. Noted copy mailed: E-mail from Thomas & Angelina Emberley, 147 Prospect Hill Road, Waltham, re Traffic Concern. Board will respond.
32. Noted copy mailed: Notice from FEMA re Floodplain Management Workshop.
33. Noted copy mailed: Letter from United Nations Assoc. of Greater Boston re 61st anniversary of the United Nations.
34. Noted copy mailed: Mass. Dept. of Revenue Informational Guideline Release No. 06-101, Guidelines for the Application of School Building Assistance Grants. Board will review in regards to Sherwood Middle School and for anything in the future.
35. Noted copy mailed: E-mail from Gregg Silverio, 4 Honeysuckle Lane, re Crosswalk proposal for Floral St. School. Forward to School Dept. and Police Dept for opinions.
36. Noted copy mailed: Letter from 495/Metrowest Alliance for RTA Services re Statutory Reforms Allowing Access to Regional Transit Authority Services.
37. Noted copy mailed: MMA Action Alert #11: 8/31/06 re DTE Seeks Final Public Comment on Changes to Local Cable Franchise Powers.
38. Noted copy mailed: Notice of Filing & Public Hearing from Dept. of Telecommunications & Energy re Review of Boston Edison Co., Cambridge Electric Co., & Commonwealth Electric Co. 2001, 2002, 2003, 2004 & 2005 Demand Side Management Performance Measurement Reports.
39. Noted copy mailed: from Town of West Boylston Administrator Leon Gaumond, Jr. re Economic Development. Mr. Morgado will review and respond.
40. Noted copy mailed: Invitation from the Assoc. of Town Finance Committees to their 2006 Annual Meeting. Forward to finance Committee.
41. Noted copy mailed: E-mail from Monica Maher, 52 Maple Circle, re Police Department. Mr. Lebeaux will respond.
42. Noted copy mailed: Informational materials from YES on 1: Grocery Stores & Consumers for Fair Competition.
43. Noted copy mailed: Letter from Richard Quinlivan, 87 Hill Street, re Chapter 70 funds.

44. Noted copy mailed: Notice form Dept. of Housing & Community Development re Grant Alert FY2007 Mass. Community Development Block Grant Program.
45. Noted copy mailed: Senator Kerry September Grant Update.
46. Noted copy mailed: E-mail from Mark Adler, 55 Gulf Street, re Informational table at the upcoming Special Town Meeting. Town meetings are controlled by the Moderator. If he has no issue, the Board does not have one either.
47. Noted copy mailed: Letter from Mr. Morgado appointing Michael Refolo to the Light Commission to complete the term of Stanley Davis expiring on 6/30/07. The Board welcomed Mr. Refolo to the Commission.
48. Noted copy mailed: Notice of Project Change, 44 Oakland Avenue Sewer Extension.
49. Noted copy mailed: Mass. Dept. of Revenue, Bulletin 2006-10B, "What's New in Municipal Law" Seminar.

Motion was made, seconded, and unanimously voted to adjourn at 10:47pm. On a roll call vote Mr. Card, yes, Mr. McCaffrey, yes, Mr. DePalo, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy
Secretary